



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

---

*86 Chambers Street  
New York, New York 10007*

March 17, 2023

**By ECF**

The Honorable Jennifer H. Rearden  
United States District Judge  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, NY 10007

Re: *Burton v. United States*, Case No. 18 CV 2039 (JLR)

Dear Judge Rearden:

This Office represents defendant the United States, sued under the Federal Tort Claims Act (“FTCA”), and defendants Anthony Bussanich, Robert Beaudouin, Ysmael Joaquin, Kimberly Shivers, Lorenzo Barazza, Quentin Holzendorf, Gerald Castillo, Wilson Silva, and Quentin Holzendorf, all current or former employees of the Bureau of Prisons (“BOP”) being sued in their individual capacity under *Bivens v. Six Unknown Fed. Narcotics Agents*, 403 U.S. 388 (1971).

This action arises from the death of Franklin Sanchez while incarcerated at the Metropolitan Correctional Center in New York. On consent of Plaintiffs, we write to request an extension of time for all defendants to respond to the second amended complaint, from March 17 to March 31, 2023. This Office recently received approval to represent five defendants newly added to this action in the second amended complaint – Lorenzo Barazza, Gerald Castillo, Quentin Holzendorf, Shaadiq Shakir and Wilson Silva. The request is being made to provide sufficient time for counsel to meet with these defendants to prepare their responses to the second amended complaint.<sup>1</sup> This schedule would also enhance efficiency as it would allow all defendants in this matter to proceed forward on the same schedule.

This is the defendants’ second request for an extension of time to respond to the second amended complaint. If granted, we respectfully request that the Court enter the attached proposed scheduling order to account for this change.

---

<sup>1</sup> Because this Office is not currently authorized to represent defendants Terrance Thomas, Shaadiq Shakir, and Rosalind Silvia, we write on their behalf only for this limited purpose.

We thank the Court for its consideration of this matter.

Respectfully,

DAMIAN WILLIAMS  
United States Attorney for the  
Southern District of New York

By: /s/ Brandon Cowart  
BRANDON H. COWART  
Assistant United States Attorney  
Telephone: (212) 637-2693  
E-mail: brandon.cowart@usdoj.gov

cc: Plaintiffs' Counsel (by ECF)

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

KENNETH MARK BURTON as the Administrator  
of the Estate of FRANKLIN RAMOS SANCHEZ,  
MADGA LILIANA MARTINEZ ACOSTA,  
Individually and as m/n/g of F.N.R.M., an Infant, and  
FRANCY TATIANA RAMOS MARTINEZ,

Plaintiffs,

v.

UNITED STATES OF AMERICA; ANTHONY  
BUSSANICH, M.D., ROBERT BEAUDOUIN,  
M.D., YSMAEL JOAQUIN, MLP, NURSE  
TERRANCE THOMAS, OPERATIONS  
LIEUTENANT KIMBERLY SHIVERS,  
OPERATIONS LIEUTENANT LORENZO  
BARAZZA, HOUSING UNIT OFFICER QUENTIN  
HOLZENDORF, HOUSING UNIT OFFICER  
GERALD CASTILLO, HOUSING UNIT OFFICER  
SHAADIQ SHAKIR, HOUSING UNIT OFFICER  
ROSALIND SILVA, SENIOR OFFICER WILSON  
SILVA, BOP JOHN DOE SUPERVISOR 1, and  
JOHN/JANE DOES Nos. 1-5,

Defendants.

No. 18 CV 2039 (JLR) (SDA)

**REVISED SCHEDULING ORDER**

IT IS HEREBY ORDERED that the Civil Case Management Plan and Scheduling Order is amended as follows:

1. All fact discovery shall be completed by July 25, 2023.
2. Expert reports shall be served no later than August 24, 2023.
3. Rebuttal expert reports shall be served no later than September 7, 2023.
4. Expert depositions shall be completed by October 20, 2023.
5. All discovery shall be completed by October 6, 2023.
6. Amended pleadings substituting the correct name of any John/Jane Doe Defendants identified in the Second Amended Complaint may be filed until July 11, 2023.

7. The next case management conference is scheduled for \_\_\_\_\_, at \_\_\_\_\_.

Dated: New York, New York  
March \_\_\_\_, 2023

SO ORDERED:

---

JENNIFER H. REARDEN  
U.S.D.J.